



Council Meeting – Council Chambers
September 17, 2014 – 7:30 pm
Mayor Mark A. Cegelka presiding

The Mayor, Mark A Cegelka called the meeting to order at 7:40 p.m. and all present said the Pledge of Allegiance.

Present: Jeffrey Adie, John Baca, Don Banas, Eric Johnson, Gurvis Smith, Larry Sylver

Others Present: Law Department Justin Whelan, Finance Director John Veres, Engineer Mike Henry, Clerk of Council Lori Pepera

APPROVAL OF MINUTES

The minutes of the Regular Council Meeting of September 3, 2014, were approved as presented. (Johnson/Banas)

Roll Call: Yeas - Adie, Banas, Johnson, Smith, Sylver
Abstain-Baca
Nays - None

5 yeas – 0 nays
1-Abstain
Motion carried

PAY ORDINANCE 2014-9-57

The Pay Ordinance was approved as presented (Adie/Sylver)

Roll Call: Yeas –Adie, Baca, Banas, Johnson, Smith, Sylver
Nays – None

6 yeas – 0 nays
Motion carried

CORRESPONDENCE & MAYOR'S REPORT:

The following were attached in the Mayor's packet:

- A memo from Service Director Sam Scaffide reporting the cost of salt for the 2014-2015 winter season will be \$51.22 a ton.
- A copy of a check in the amount of \$600.00 from Kindred Rehabilitation as a donation for sponsoring a band for the 2104 Summer Concert Series.
- A copy of the Infrastructure agenda from the meeting held September 10, 2014.

- A copy of a check received from Core-Mark in the amount of \$1,662.50. This for legal fees the Village invoiced the company for preparing the Job Creation Tax Credit Agreement.
- A copy of the Oakwood Fire Department incident and response report for the month of August supplied by Chief Schade.

OLD BUSINESS:

<p>2014-9-35</p> <p>Resolution</p>	<p>A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer and declaring an emergency. – 1st reading July 2, 2014. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Banas/Sylver) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve (Adie/Baca) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Resolution carried
<p>2014-9-37</p> <p>Resolution</p>	<p>A Resolution authorizing the Mayor to enter into an Agreement and Release with Kathy DeMarco and declaring an emergency – 1st reading September 3, 2014. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to place Resolution on 2nd reading (Smith/Adie) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried

NEW BUSINESS:

<p>2014-9-58</p> <p>Ordinance</p>	<p>An Ordinance amending appropriations for the year ending December 31, 2014 and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none">• Motion to suspend 3 reading rule (Johnson/Baca) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried• Motion to approve (Johnson/Baca) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Ordinance carried
<p>2014-9-59</p> <p>Ordinance</p>	<p>An Ordinance declaring improvements to certain parcels of real property to be a public purpose, describing the public infrastructure improvement to be made to benefit those parcels, requiring the owners of the improvements thereon to make service payments in lieu of taxes, authorizing agreements with property owners with respect to those payments, and establishing a municipal public improvement tax increment equivalent fund for the deposit of such payments and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none">• Motion to place Ordinance on 1st reading (Adie/Banas) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried

<p>2014-9-38</p> <p>Resolution</p>	<p>A Resolution amending the professional services agreement with Municipal Building Inspection Solutions, LLC for building official services and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Baca/Sylver)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve. (Smith/Sylver)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Resolution carried</p>
<p>2014-9-60</p> <p>Ordinance</p>	<p>An Ordinance authorizing the Mayor to execute and deliver an application for Community Development Block Grant Funds from the Cuyahoga County Department of Development for project year 2014 declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Smith/Baca)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve. (Banas/Johnson)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Ordinance carried</p>

<p>2014-9-39</p> <p>Resolution</p>	<p>A approving Change Order No. 1 to the contract with C. A. Agresta Construction for the Pettibone Road Realignment Project and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Baca/Johnson)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve. (Banas/Adie)</p> <p>Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6yeas – 0 nays</p> <p>Resolution carried</p>
<p>2014-9-61</p> <p>Ordinance</p>	<p>Ordinance amending Section 131.02 of the Administrative Code to provide for an alternate member of the Planning Commission and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Johnson/Baca)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve. (Adie/Johnson)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6yeas – 0 nays</p> <p>Ordinance carried</p>

<p>2014-9-62</p> <p>Ordinance</p>	<p>An Ordinance amending Section 1125.02(a) of the Planning and Zoning Code to revise the voting membership of the Board of Architectural Review and to provide for a temporary chairperson, and adding Section 1125.02(d) to be consistent with the Village's compensation schedule and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Baca/Banas)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve. (Johnson/Baca)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6yeas – 0 nays</p> <p>Ordinance carried</p>
<p>2014-9-40</p> <p>Resolution</p>	<p>A Resolution authorizing the Mayor to enter into a Business Associate Agreement with Employee Benefits International and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Adie/Johnson)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve. (Banas/Adie)</p> <p>Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver</p> <p>Nays—None</p> <p>6yeas – 0 nays</p> <p>Resolution carried</p>

2014-9-41 Resolution	<p style="text-align: center;">A Resolution authorizing the Mayor to enter into a Transportation Services Contract with Senior Transportation Connection and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>• Motion to suspend 3 reading rule (Sylver/Smith) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None <div style="text-align: right;">6 years – 0 nays Motion carried</div> </p> <p>• Motion to approve. (Banas/Johnson) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None <div style="text-align: right;">6 years – 0 nays Resolution carried</div> </p>
-----------------------------	---

- Finance Director John Veres explained Ordinance 2014-9-59; declaring improvements to certain parcel of Real Property to be a public purpose, describing the public infrastructure improvement to be made to benefit those parcels, requiring the owners of the improvements thereon to make service payments in lieu of taxes, authorizing agreements with property owners with respect to those payments, and establishing a municipal public improvement tax increment equivalent fund for the deposit of such payments. This Tax increment Fund (TIF) is a public financing method that is used as a subsidy for redevelopment, infrastructure, and other community-improvement projects. The money gets redirected from the County back to the Village. This will then be used for improvements to Pettibone Rd. and Cochran Rd. The Ordinance is put on first reading this evening so notice can be sent to Board of Education of the Solon City School District and to the Director of the Mayfield Excel T.E.C.C. of the described property tax exemptions. Councilman Banas questioned if the reason Mayfield Excel T.E.C.C. had to be notified was because Solon City Schools participates in the program. Finance Director John Veres confirmed.
- Engineer Mike Henry explained Resolution 2014-9-39; Change Order No. 1 to the contract with C. A. Agresta Construction for the Pettibone Road Realignment Project was due to a couple changes. Additional detour signs were added by request of Solon, a man-hole that was located near a gas line needed modified, and there was additional excavation to widen the bike path. The landscaping will be finished in October/November which will be complete the project. Another change order will be coming when the project closes. Due to not using as much asphalt as projected, the whole project will be \$60,000 under the original amount.
- Mayor Cegelka brought up the possibility of combining the ARB and Planning Commission Boards. This will be looked at and discussed at a later time. Councilman Baca voiced concerns that the ARB does look at a lot of the commercial properties.
- Mayor Cegelka reported Employee Benefits International should have the new insurance rates out by October 1, 2014. Once the Village receives the new rates a Personnel Meeting will be held to discuss.
- Mayor Cegelka reminded Council that the Village Christmas party is scheduled for December 17, 2014 and will be held at Superior Beverage.
- Councilman Sylver scheduled a Recreation Meeting for October 1, 2014 at 6:45 p.m.


- Councilman Sylver thanked Councilman Smith for taking care of the concert held September 14, 2014 in his absence.
- Councilman Banas questioned whether residents Kenneth and Nadine Brown's request for a side yard variance was approved at the Planning Commission meeting held September 10, 2014. Mayor Cegelka confirmed it was approved. Councilman Banas requested that some type of process for notification be looked at after a resident is approved for such items.

RESIDENT PARTICIPATION:

- Resident Laurie Hoover questioned if the Engineer has looked at her driveway as previously requested. Engineer Mike Henry reported it has been looked at and T.C. Construction will be replacing it.

There being no further business to come before Council, motion by Jeff Adie, seconded by Gurvis Smith to adjourn the meeting. Vote on the motion to adjourn was all yeas and no nays.

Mayor Mark A. Cegelka adjourned the meeting at 8:08 p.m.



Mark A. Cegelka – Mayor & President of Council



Lori Pepera, Clerk of Council